

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHAUNA NOEL and EMMANUELLA SENAT, :
Plaintiffs, :
-against- : 15-CV-5236 (LTS) (KHP)

CITY OF NEW YORK, :
Defendant. :
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**PLAINTIFFS' NOTICE OF MOTION TO RECONSIDER
PURSUANT TO LOCAL RULE 6.3
THE APRIL 28, 2023 DECISION AND ORDER (ECF 970)
INSOFAR AS IT RELATES TO DISPARATE IMPACT LIABILITY**

PLEASE TAKE NOTICE that, upon Plaintiffs' May 5, 2023 Memorandum of Law in Support of Plaintiffs' Motion to Reconsider Pursuant to Local Rule 6.3 the April 28, 2023 Opinion and Order (ECF 970) insofar as it relates to disparate impact liability; and upon all prior papers and proceedings had herein; plaintiffs will move this Court before the Hon. Laura Taylor Swain, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, as soon as it is convenient for the Court to hear counsel, for:

- (1) reconsideration of so much of the Memorandum Opinion and Order on Cross-Motions for Summary Judgment of April 28, 2023, ECF 970 ("SJ Opinion") as addressed the existence of disparate impacts; and
- (2) an order modifying the SJ Opinion to:
 - (a) deny defendant's cross-motion for summary judgment in respect to the existence of disparate impacts;

(b) grant plaintiffs' motion for partial summary judgment in respect to the existence of disparate impacts; and

(c) grant such other and further relief as to the Court seems just and proper.

PLEASE TAKE FURTHER NOTICE that, in accordance with Local Rule 6.1(b) of this Court, defendant's opposition to this motion must be filed on or before May 19, 2023 (whereupon plaintiffs' reply shall be filed on or before May 26, 2023).

Dated: New York, New York
May 5, 2023

Craig Gurian

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